REMARKS

Reconsideration of the application in view of the following remarks is respectfully requested. The subject response is submitted in reply to the office action mailed on June 17, 2003. Claims 1-18 remain pending in the application.

The Examiner has rejected claims 1, 2, 5-8, 11-14, 17 and 18 under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al., U.S. Patent No. 5,802,294, in view of Carleton et al., U.S. Patent No. 5,920,694. However, the combination of the Ludwig and Carleton patents does not teach or suggest the invention as claimed in independent claims 1, 7 and 13. To the contrary, the Ludwig and Carleton patents teach away from the invention as claimed and to alter the cited references to achieve the claimed invention would go against the intended purpose of both the Ludwig and Carleton patents. Therefore, claims 1-18 are not anticipated by the cited art.

More specifically, independent claim 1 recites:

> A method for creating a synchronizer object in order to playback an event simultaneously on a plurality of a client apparatuses, comprising the steps of:
> (a) receiving a request utilizing a network for viewing an event;
> (b) queuing the request in memory;
> (c) creating an object in response to the request, the object adapted to playback the event on a client apparatus simultaneous with the playback of the event on the remaining client apparatuses upon the receipt of an activation signal; and
> (d) sending the object to one of the client apparatuses utilizing the network for being stored therein.

As such, the claimed invention is directed to the creation of a synchronizer object in order to playback an event simultaneously on a plurality of a client apparatuses.

In contrast, both the Ludwig and Carleton patents describe systems for real-time conferencing similar to those systems described in Applicant's Background section of the subject application. The Background section discusses real-time "multiparty conferencing" (pg. 1, line 28). The Background continues to state that "[d]espite these compression algorithms, it is very difficult to simultaneously multicast multimedia material . . . ." (Pg. 6, line 11). As such, the claimed invention is directed to limiting the amount of real-time communications. Alternatively, the Ludwig and Carleton patents are exclusively directed to real-time conferencing. It would go against the intended

purposes of these patents to limit the amount of real-time communications as their intended purpose is to provide real-time communications. Therefore, it would go against the intended purpose of both the Ludwig and Carleton patents to provide simultaneous playback of a stored event.

Further, the Ludwig patent, being directed to a system for providing real-time teleconferencing, does not teach or describe at least "creating an object in response to the request . . . to playback the event on a client apparatus simultaneous with the playback of the event on the remaining client apparatuses upon the receipt of an activation signal." (Claim 1). The Examiner suggests that the Ludwig patent discloses "creating an object in response to the request," at column 19, lines 30-36. (Office Action, page 2, paragraph 4). However, Applicant respectfully submits that the Ludwig patent at column 19, lines 30-36 describes establishing routing of real-time communications to a teleconference participant during a conference call. Again, claim 1 provides for the creation of an "object adapted to playback the event," not the routing of real-time communications. Ludwig patent does not provide playback nor does it teach or suggest generating an object adapted to playback an event. Therefore, the Ludwig patent does not teach or make obvious the invention as claimed, and instead teaches away from the claimed invention.

The Carleton patent also fails to teach or describe "creating an object in response to the request . . . to playback the event on a client apparatus simultaneous with the playback of the event on the remaining client apparatuses upon the receipt of an activation signal" as recited in claim 1. As such, the combination of the Ludwig and Carleton patents fails to teach or make obvious the invention as claimed. Therefore, claim 1 is not anticipated by the Ludwig and Carleton patents.

Still further, the Ludwig patent also fails to teach or make obvious "sending the object to one of the client apparatuses utilizing the network for being stored therein" as recited in claim 1. The Examiner cites column 19, lines 26-43 as suggesting that the Ludwig patent describes these limitations. However, as discussed above, this paragraph of the Ludwig patent describes establishing routing of real-time data to selected participants of the real-time conference call.

The paragraph at column 19, line 26 continues to describe "send[ing] a message causing the Collaboration Initiator modules to invoke the Snapshot Sharing modules

164 at each participant's CMW." (Col. 19, lines 39-41). The snapshot sharing modules do not cause a playback of stored data. In contrast, these snapshot sharing modules record information displayed on a screen to be shared in real-time with other participants of a conference call. More specifically, the snapshot sharing is defined at column 3, lines 3-5 as "sharing of 'snapshots' of selected regions of the user's screen." Further, at column 26, lines 15-22, the Ludwig patent describes implementing snapshot sharing through "software [that] permits a 'snapshot' of a selected portion of a participant's CMW screen (such as a window) to be displayed on the CMW screens of other selected participants (whether or not those participants are also involved in a videoconference)." As such, sending a message that invokes a snapshot is not equivalent to "sending the object to one of the client apparatuses utilizing the network for being stored therein" as recited in claim 1. Still further, the Ludwig patent does not suggest that the message initiating a snapshot is stored. It would not have been obvious in view of the Ludwig patent to "send the object [adapted to playback an event] to one of the client apparatuses utilizing the network for being stored therein" as recited in claim 1. Therefore, claim 1 is not obvious in view of the Ludwig patent.

The Carleton patent also fails to teach or describe "sending the object to one of the client apparatuses utilizing the network for being stored therein." Therefore, the combination of the Ludwig and Carleton patents fails to teach or make claim 1 obvious.

Independent claims 7 and 13 recite claim language similar to claim 1. It has been shown above that claim 1 is not anticipated by the cited Ludwig and Carleton patents. Similar arguments can be provided for claims 7 and 13 to distinguish these claims over both the Ludwig and Carleton patents. Therefore, claims 7 and 13 are also not anticipated by these references for at least the same reasons indicated above for claim 1.

Claims 2-6, 8-12 and 14-18 depend from claims 1, 7 and 13, respectively. Because it has been shown that claims 1, 7 and 13 are not anticipated by the Ludwig and Carleton patents, claims 2-6, 8-12 and 14-18 are also not anticipated by the cited references.

The Examiner further rejected claims 3, 4, 9, 10, 15 and 16 under 35 U.S.C. 103(a) as unpatentable over Ludwig et al., Carleton et al. and Roberts et al. U.S. Patent No. 6,161,132. However, the Roberts patent also fails to teach or make obvious at

least "creating an object in response to the request . . . to playback the event on a client apparatus simultaneous with the playback of the event on the remaining client apparatuses upon the receipt of an activation signal," as well as "sending the object to one of the client apparatuses utilizing the network for being stored therein." The combination of the Ludwig, Carleton and Roberts patents fail to teach or make obvious the inventions as claimed in claims 3, 4, 9, 10, 15 and 16. Therefore, claims 3, 4, 9, 10, 15 and 16 are not anticipated and are thus in conditions for allowance.

CONCLUSION

Applicant submits that the above remarks distinguish the claimed invention over the cited references and that the claims are in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested. If the Examiner would like to discuss this application, please feel free to call the undersigned at the below telephone number.

Respectfully submitted,
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